

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

Inventor(s) : David Louis Kirschman
Serial No. : 10/675,361
Filed : September 30, 2003
Title : SPINAL FUSION SYSTEM
AND METHOD
Group : 3732
Confirmation No. : 5973
Examiner : Pedro Philogene
Docket : KRS 001 P2

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Certificate of Submission

I hereby certify that this correspondence is being deposited with the USPTO via the EFS on 04-28-2006

Rebecca Lantis
Typed or printed name of person mailing paper or fee

/Rebecca Lantis/
Signature of person mailing paper or fee

Response to Office Action

Applicant is in receipt of the Office Action mailed April 13, 2006, in the above-referenced application and responds as follows:

The undersigned's office spoke with Mr. Andre Robinson on April 19, 2006, and was advised that the disapproval of the Terminal Disclaimer was in error and he would approve the Disclaimer. A review of the PAIR database indicates that the Terminal Disclaimer filed March 28, 2006 has now been approved. Accordingly, Applicant respectfully submits that no further action is required by Applicant at this time.

The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to **Deposit Account No. 50-1287**. Applicant hereby provides a general request for any extension of time which may be required at any time during the prosecution of the application. The Commissioner is also authorized to charge any fees which have not been previously paid for by check and which are required during the

Office Action Mailed 04-14-2006
Response Dated April 28, 2006
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prosecution of this application to **Deposit Account No. 50-1287**. (Should Deposit Account No. 50-1287

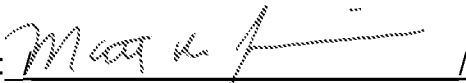
be deficient, please charge any further deficiencies to Deposit Account No. 10-0220.)

If the Examiner has any questions, he is invited to telephone the undersigned attorney.

Favorable action on the merits of the application is respectfully requested.

Respectfully submitted,

JACOX, MECKSTROTH & JENKINS

By:  /
Matthew R. Jenkins
Reg. No. 34,844

MRJ:rl
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April 28, 2006